

## The Signs of the Times.

We hear every now and then of the times getting easier—of the prevalence of a "better feeling," &c., but these givings-out with the prospects of relief which they present prove to be mistaken and illusory. Day by day the circle narrows and the pressure becomes more severe. As the circle of hunters surrounding a certain district of country, keeps advancing to the centre and enclosing the unfortunate game within narrower and narrower limits, so does the contraction enclose and hem in the unfortunate body of debtors, but a small proportion of whom will be able to break their way out and escape unhurt. That proportion must depend upon the weight and compactness of the narrowing circle, and in the strength and resisting power of those in the toils. It is now pretty plain that the circle will keep narrowing, and that those who cannot stand its pressure must yield.—We confess ourselves unable to perceive any other solution.

The suspensions have not resulted in the relief expected from them, nor is there any abatement of the panic or pressure at the great centres of trade, and it is in the nature of these things to propagate themselves, to extend as by a contagion. The great fear is that this contagion will extend to the other side of the water, affecting seriously the consumers of American and especially of Southern products. Whatever may be said to the contrary, Europe is not in a strong position. France was severely tried by the expense of the Crimean war, and an appearance of delusive prosperity has only been kept up by speculative means and undue expansions, which are now beginning to produce their legitimate results, while throughout Germany failures are already almost as numerous as they are with us. It is also a question how far England herself, strained to the utmost tension by the efforts she is called upon to make in the East, efforts which all see must be vastly increased and indefinitely prolonged, can stand unmoved the immense falling off in her two greatest markets—the East Indies and the United States—how she can sustain a heavy drain to the East while her expected supplies from the West are suddenly and unexpectedly cut off—how she can ship specie to America and Asia at one and the same time without experiencing commercial derangements and perturbations of the most serious character, affecting the prices which she can afford to pay for her staples, especially our Cotton. We fear that before the present crops are disposed of, a heavy reduction in price must be submitted to.

In figuring out the early passing away of the present financial difficulties, it seems always to be assumed as an element of the calculation that our products to go forward will be sold at present ruling rates in European markets, which takes for granted that these markets will remain sound and wholly unaffected by the perturbations of the money market. For this we have no guarantee, but every reason to expect at least some falling off in prices, some instability corresponding to that prevailing here. It is impossible to look for anything else.

Indeed, sterling bills to some extent have already come back protested, and more may be expected to come. It is not in the nature of things that while New York imports fail to meet their obligations in Europe, no failures of a similar character should result on the other side.

That the leading banks in England and the Continent have been forced to put up their rates of interest, is not the only ominous feature—that has been done before, but the real difficulty is that this course by no means results in checking the drain of specie, and that this drain is not caused by the demand for exportation, but by that uneasy feeling that leads to hoarding, as the result of failing confidence in the position of things.

We took occasion some time since to refer to the indications pointing to a probable attempt to make out of existing difficulties capital upon which to base an agitation in favour of another United States Bank. There is little doubt that out of these difficulties will arise questions and issues bearing upon the financial system of the country, but we may rest assured that this will eventuate unfavourably to any extension of the power or influence of the banking system, rather than in the creation of a great central pecuniary despotism.

It is said by some of the advocates of a National Bank, that, admitting the truth of all the charges which have been urged against the United States Bank, they can only apply to that institution after it became a State affair.

The Bank of the United States, the bill for whose recharter was voted by General Jackson, had been chartered in 1816, some time after the close of the war with Great Britain. Well, we all know that the war created financial derangement and suffering, but it is stated on the best authority, that before the Bank had been four years in operation its movements had created more serious derangements, and entailed severe losses than had resulted from the war. Between 1820 and 1830, a commercial crisis also passed over the country, and it is hardly to be denied that the causes which lead to the crash of 1837 were mainly put in motion by the schemes of Mr. Biddle, President of the Bank of the United States, as a Federal Institution.

## The State Fair.

The Raleigh papers were kept back to allow of some fuller accounts of the State Fair and did not reach us on Saturday as we expected. We judge from their tone that the Fair as a whole, was successful and calculated to effect much good. The address delivered by Mr. Bridges, is spoken of as eminently practical and replete with valuable information. It will, we trust, be published.

Among the articles and specimens of various kinds on exhibition, we notice a large lot of fine Pine-apples by Wm. L. Pitts & Co., Wilmington.

Also a "Patent Magic Ventilator Chair," by David Kahweiler, Wilmington. "This," the Standard says, "is a very handsome article, and admirably adapted, by a simple contrivance, to its purposes. It recently obtained a diploma in Pennsylvania." The Chair is really an ingenious contrivance. We had an opportunity of examining it in the Summer when its peculiar qualities could be more fully tested and better appreciated. It is a Rocking-Chair, and has the ventilating apparatus connected with the rockers, the wind being forced through a chamber containing ice and subsequently through a smaller one containing a sponge saturated with any desired perfume, thus blowing a stream of cooled and perfumed atmosphere upon the occupant of the Chair.

Mr. Harbrough, of Wilmington, exhibited a Patent Sash Balance. R. W. Henry, of Goldsboro', a Bedstead, James Long, Goldsboro', a Wheat Fan. A specimen of No. 1 Rosin by Fonteyne and Arrington, Columbus. A barrel of Old Rye by Nick Williams, of Yadkin. O. S. Baldwin, Wilmington, exhibited trotting horse "Jo. Smith." J. W. Ingram, of Sampson County, Stud Colt.

We mention now only the articles exhibited from this section, except the "Old Nick," in which all take an interest. This part of the State does not appear to take any great interest in these fairs, which is to be regretted. By the way, we had a little Agricultural Fair of our own, consisting of a lot of fine Turnips, presented to us by E. Lane, Esq., of Rocky Point, to which we intend to do justice.

Superior Court for New Hanover county commenced its sessions this morning, his Honor Judge Bailey presiding. There are several capital cases to be tried at this term. All negroes, we believe.

## Getting Rid of the Surplus.

The question now asked is not whether the General Government shall distribute its funds among the States, but whether the Federal Treasury will be able to get through with the demands of the current fiscal year without the necessity of resorting to a loan, Public Lands or no Public Lands. The question is not what shall we deposit, but how shall we meet our obligations—not how shall we deplete the Public Treasury, but how shall we keep it properly supplied.

We are glad that such is the case—glad that no surplus in the Treasury invites speculation, or furnishes the plea of necessity in extension of measures, doubtful in policy and more than doubtful in principle. Of course we regret the existence of the immediate causes which have led to the exceedingly rapid depletion of the Treasury, although always anxious for the adoption of such measures as would lead to the same result, by means of the Government ceasing to collect more than necessary, allowance being made for the sums already in the Treasury. Again and again do we wish to call the public attention—the attention of the Democracy to the propriety and expediency of allowing no specious plea of necessity to form neither excuse nor precedent for any aberration from the strict line of Democratic principle.

Solitary and alone in this State we raised the voice of dissent to the measure of deposit, not as attacking our representatives, but as in vindication and defence of Democratic principles and policy. Not anxious to create divisions or distrusts, but determined sedulously to avoid everything having a tendency in that direction, we rested contented with such an avowal, sustained by such arguments as appeared essential to the proper assertion and due defence of our own position.

Now that the political contest is over—now that events have so signally marked the wisdom and propriety of the position assumed and the course pursued by the opponents of deposit or distribution, we feel at full liberty to refer again to the matter, in a proper spirit, we trust—in a spirit of kindness, yet with no abatement of the firmness and resolute adherence to principle which ought to characterize the language of a Democratic press.

If the lessons of 1837 and subsequent years were rendered less impressive through the lapse of time, the events of the present day are before us and palpable to our own eyes and observation. If we pointed in vain to the fact that in 1837, there was really no surplus either to deposit or distribute—if our references to the embarrassments of the treasury, arising out of the attempt to carry out that measure, were unheeded, surely the fact cannot be denied that the success of such a measure in passing through the last Congress, must have eventuated either in a miserable failure or in a national bankruptcy.

It is a lesson which ought to be improved and remembered. It is conveyed in the stubborn language of facts—it rises into the gravity of an impressive experience. Those who ignore it again, will do so with their eyes open. It will be a wilful blindness, rather than an involuntary error.

When we said that solitary and alone, in this State, we raised the voice of opposition to the measure of deposit, we ought to have qualified the expression by confining it to the press of the State. In two districts at least, the old unflinching banner was borne aloft—in one to victory, in the other to an issue which, considering the strength of the opposition, was hardly less glorious than victory. In the first district, Dr. Shaw fought a glorious fight, and gained the day—in the Guilford district, Mr. Williams did well, very well, and if he did not win, he at least deserved success; at any rate he did not deserve the ungracious attack made upon him by some correspondent of the Washington Union, purporting to write from North Carolina. When the Washington Union interferes in North Carolina politics, it ought to know what it is doing—perhaps its interference at all could be advantageously dispensed with.

"THE SOUTHERN CITIZEN."—We have before us the first number of the Southern Citizen, a new weekly paper, just started at Knoxville, Tennessee, by John Mitchell and Wm. G. Swann, price \$2 a year, invariably in advance.

It is a large, handsome and well-printed paper, and bids fair to be an interesting and valuable one. As a writer, Mr. Mitchell is well known, and enjoys a reputation second to no man in the land, while his partner, Mr. Swann, a native-born son of the South, is favorably known throughout the Southwest, but especially in his native State of Tennessee.

It is no part of the design of the editors to make the Southern Citizen, in any sense, what is known as "an Irish paper"—it is to be what its name indicates, a Southern newspaper, devoted to the interests of the South. The editors say in their prospectus that one is a Southern man by birth—the other by preference, and that both shall therefore feel themselves at full liberty to discuss all questions worthy the attention of the citizens of that section and of the whole country. The question of re-opening the slave trade will be prominently discussed.

We do not know whether we shall be able to approve of all the views that may be advanced by the Citizen, but we feel certain that such views as may be advanced, will be presented boldly and sustained ably. John Mitchell wields a powerful pen and stops not halfway. We shall watch his course with interest, the more so, as he has already awakened the ire and earned the abuse of Greely and his coadjutors among the abolitionists of the North, as well as that of Prentice and the notorious Brownlow at the South.

Excitement is the great demand of the age, and one excitement gives place to another with an ease and rapidity that is perfectly charming.

The Central America kick possession of the public mind for some time. Much was said and many suggestions offered, having for their object the prevention of such things in future. But a new and more terrible excitement arose—instead of the war for the dead, a panic for the living obtained precedence. It was no longer asked how came the victims of the Central America by their death, but how shall we and all of us come by the means of living?

The Central America is forgotten, and all the precautionary and preventive measures suggested have been forgotten too, and will be no more heard of until the occurrence of some similar catastrophe again results in their temporary resurrection to be followed by a corresponding oblivion.

The "colored man," Dred Scott, is at a discount even in abolition Vermont; and Kansas may "bleed" just as much as she pleases, but no dopes will bleed their pockets any more in her cause. The existing financial "crisis" will, in due time pass away, leaving many a wreck behind, but its lessons will be forgotten, and another "crisis" will be invited in due time.

PUN DOW.—We are indebted to Hon. Asa Biggs, U. S. Senator, for the Congressional Globe and Appendix, for 1st Session of the 34th Congress, for which he will please accept our thanks.

DIVIDEND.—The directors of the Wilmington and Weldon Rail Road Company have declared a dividend of 3 1/2 per cent for the last 6 months, as will be seen by advertisement in this paper.

ICE, half-an-inch thick, formed near the Potomac, Washington City, on the night of the 20th inst.

We learn that frost was seen near Wilmington on Wednesday and Thursday morning, last.

SIXTEEN thousand dollars of the money stolen from the Richmond Custom House is said to have been recovered, and the two robbers are in prison in Richmond.

## "Hard Times" and What it Means.

We hear of hard times—we read of hard times, we feel hard times, and yet few of us realize the meaning of that expression in its full significance.

It means practically hundreds of thousands thrown out of employment, without means of support for themselves or their families, without money to pay rent for the roof that shelters, or buy wood or coal to warm their shivering frames during the rigors of a fast approaching winter—it means destitution—want even of the food necessary to keep soul and body together—it means to many and many an one, dependence upon the bitter bread of charity.

Let us turn from the mass to make an analysis of some particular instance, to illustrate the general proposition.

Turn we to a quiet home—the home of an humble but self-respecting workman with a family. Neatness, with some pretensions to ornament, had made that home a pleasant one. Wages, under the stimulus of expansion, had gone up—the older children had been employed. But the cost of living had even more than kept pace with the increase of wages, and little could be reserved for the hour of trial. The pressure comes with its ominous cloud—wages fall—employment becomes precarious—the final crash comes, and the arm of the strong man is paralyzed, his right hand forgets its cunning—he returns home to his family, wearied from the fruitless search for work—for the means of living. One by one the younger members also lose their situations—the little household must meet its rigors, moneyless, without employment or the hope of employment, or the prospect of any resources upon which to fall back. That is pressure, and when that pressure is aggravated by sickness—when some loved one seeks in vain for the little comforts or even necessities upon which life may depend, who can tell how much its agony is increased. When we read of the discharge of thousands of men at the North, it means that thousands of families must face the stern rigors of a Northern winter—must bide the pining of the pitiless storm without the means of procuring sustenance or shelter.

Again, another home rises before us, the acquisition of years of labor and devotion to business. Its owner has striven to make it a pleasant abode for his family, and a calm retreat for his declining years. At length the coveted reward of his persistent energy appears to be within his grasp. A few more years and he will be independent. But the storm overtakes him. The circle contracts around him. He cannot realize what it is to him—he cannot pay what he owes—his property is swept away—the home of his declining years is sacrificed and he goes forth a ruined wreck, unable to make sail on the calmest sea. This is another incident of the "hard times," another result of the "pressure," and no isolated one.

The fair damsel, who, like Miss Flora McFlimsy, have "nothing to wear," the speculator who "suspends," yet lives in affluence—none of these know or care for these things, but they are the really painful features of "hard times."

A Correspondent of the Charleston Courier proposes to organize the next House of Representatives by electing Mr. Orr, of S. C., Speaker, making Allen, of Illinois, or Robbins, of Indiana, Clerk—some high-touted Southern Democrat from Virginia, Doug. Keiser—Governor, of Pennsylvania, Sergeant-at-Arms, and Johnson, of New Jersey, Post-Master.

Mr. Orr will certainly be a prominent candidate for the Speaker's Chair, for which he is well qualified by ability and parliamentary experience. We sincerely trust that Allen may be Clerk. He has our vote, which, unfortunately, don't count. Johnson, the proposed Post-Master, is a very clever fellow, and knows the business of his office, which he held once before. He discharged his duties then to the general satisfaction of all concerned. We have not yet decided what office we will concede.

By the way, among the "officers" of the two houses we do not know that the pages are included. These youthful persons would, elsewhere, we presume, be called errands. The little fellows get something like three dollars a day, and a *decent* in the shape of an extra allowance voted every session. It is somewhat surprising to enquire into the disposal made of their surplus funds by these embryonic statesmen. Last Spring several were pointed out to us who had become speculators in Western lands—purchasers of land warrants. The prevailing epidemic had reached them, and taken the form indicated for it by surrounding circumstances and influences.

As a rule, the little fellows seemed to be quiet and obliging, and generally economical. The Door Keepers were generally a polite set of men, with one exception, a pup-fell, consequential looking youth, who was always in a fuss, and had a constable around three times in one day. We hope he'll be turned out at any rate. Uncle Sam—that is to say—you and I, and all of us, pay liberally, and ought to submit to no insolence, or pig-headedness from our servants.

But office—office is a great thing, and what are called the spoils of office, are also great things—some succeed in public life—they succeed in living and retaining their self-respect and the respect of others, and we think that if a man had a full competence ahead, the excitement might be pleasant, but the chances are too precarious to calculate on for a living—the first thing to be looked to in this life.

We wonder much whether the doors of the new Congress will be as closely besieged by those desirous to plunge their hands into the public purse, as were the doors of the last Congress. We think the mania for land-stealing and land speculation ought to be somewhat abated by this time. The burst-up of the Illinois Central and the Michigan Central Railroads ought to afford a lesson; and, no doubt, will for a short time. But after this fall will come another rebound, and people will go to it with a bigger kick than ever.

Some twenty years ago, a bill—a deposit bill—a bill to give to—to distribute among the States, under the name of a deposit, passed both Houses and received the reluctant assent of General Jackson. Soon that game was stopped. The surplus to be deposited turned shortly into a deficit, and the United States Treasury was bankrupt, while money had to be borrowed to meet the actual expenses of the Government, and it was borrowed, at a share too. This time the same thing was tried, and if a deposit bill had passed, it would have been a dead letter even sooner than its predecessor. So we go. The past, with its lessons, seems to teach nothing, but the present, with its necessities, cannot fail to be listened to. Necessity is a hard but an efficient teacher.

We learn that at the race which came off yesterday at the Fair Ground, Raleigh, Mr. Baldwin's horse, the winner of the Cup on Tuesday, was beaten, although unquestionably the swiftest trotter on the ground. His time in the Cup race was a full quarter of a minute faster than the best time made by the running horse yesterday (Thursday). It seems that he had a new rider, who either could not get him up to his time—at any rate, did not.

We learn that the attendance is less this year than it was last. The unfortunate "pressure" may have something to do with it. In order to enlist the feelings and engage the attention of the Western people more fully in the matter, it has been suggested that the next meeting should be held at Salisbury. Whether at Raleigh, Salisbury, Goldsboro' or elsewhere, we sincerely trust that the effort to render the holding of these fairs a permanent matter, may not be abandoned.

Daily Journal, 23d inst.  
Iowa Election.  
CHICAGO, Oct. 23.—Fifty-six counties have been heard from, and the Republican majority is upwards of 2,600.

## From our Raleigh Correspondent.

HALEIGH, N. C., Oct. 22, 1857.  
GENTS.—A cursory glance over the Fair Grounds does not give one an accurate idea of the extent and merit of the articles on exhibition. One thing may be safely asserted—North Carolina is not behind in her specimens. Agriculture is reduced to a science—the arts are by no means unimproved—the Farming Implements, Mechanisms, &c., are certainly highly creditable in the present exhibition. The industry displayed at the Fair in the various articles used by the planter and the mechanic, tell well for the genius of the State. And I was led to wonder at the reason why so many of these articles are purchased North—while just as good, and perhaps better, may be obtained at home. This should be well considered by our people—particularly at this important juncture of affairs. We are now collecting gold and paying a large premium for it, to pay for thousands of dollars worth of just the same articles that might have been purchased within the borders of North Carolina, and for which our own Bank Notes would be received at par. We should think of this as well as the matter of establishing a direct foreign trade. Let us have State pride enough to stand by our Mechanics, Artists, &c., and the result will soon tell to the advantage of us all.

To-day may be considered the closing of the Fair, and thousands were on the ground to witness the doings. The speech by Mr. Bridges, of Edgecomb, was replete with sound sense and important truths. Indeed, it was just such a talk as the people would appreciate and understand.

"Floral Hall" presented a great variety of attractive features—the beautiful specimens of the hand-work of the fair ones of North Carolina, found hundreds of admirers; and, really, most of the articles of needle work, &c., would compare favorably with the choicest importations. Let the daughters of the good Old North adopt fine needle work as a part of their education and accomplishments, and let industry bring them into practical use, and many thousands of dollars now paid to the importer of foreign finery would be kept at home for wiser purposes. Crowding my way through the "Hall" to-day, led to these reflections. The ladies! O, yes, I must not omit to mention that they, as well as the beautiful articles they exhibited, created, if I may judge, their share of admiration. North Carolina has, on this occasion, shown a fine and commendable spirit.

Some interesting trials of speed came off to-day. "Jo. Smith," the Wilmington horse, was up for a trial, but was rode by a jockey who handled him badly and lost the race. Yesterday he beat one of the fastest horses in harness. He is no slow nag—you can bet on that. The track is heavy sand in some places, and very uneven—three times round constituting a half—making one mile and 100 yards. "Jo. Smith" was 3.7—Joe took the second premium as the best single harness horse.

The hospitality of the citizens of Raleigh commends itself at once to the stranger. I need only refer you to your "Light Infantry" boys for a full endorsement of the assertion.

"Yarborough's Hotel" has been densely crowded—the grand rush at meal hours was like an avalanche—but the gentlemanly Colonel had enough and to spare. Some new improvement, recently made, gives to the House a air of comfort and convenience so long needed in North Carolina.

Had I time, a more extended notice of the Fair would be sent you, and one undoubtedly more interesting to the readers of the Raleigh Herald. I have received your request, and you have the request complied with, such as 'tis, and I remain, yours,

UP COUNTRY.

## Three Days Later from Europe.

HALEIGH, Oct. 20.—The Cunard steamer Europa, Captain Leitch, from Liverpool on the 10th inst., has arrived. She brings \$63,000 in specie.

There had been severe storms on the English coast.—The ship A. B. Kimball, from Sunderland, bound to New York, was lost, but the crew were saved.

The American crisis was beginning to be severely felt in England and France, and money over the whole of Europe was advancing in consequence of the drain of specie.

The King of Prussia was feared to be dying.

The governor-general of India had been recalled. The London Morning Chronicle professes to have good authority for stating that steps will be taken immediately to proclaim the Queen Empress of Hindostan, and says that the next despatches will bring the news of such proclamation at Calcutta. The statement, however, is generally regarded as absurd.

Catharine Hayes, the Irish vocalist, is married to Wm. A. Bushnell, of New York.

The London Star is the only journal which reports the recall of the governor-general of India.

The Times says: "There is nothing in raising the rate of interest, to do any good. The discount established by the Bank of England, and the rates. The Times thinks that fright alone caused all the ruin which is now going on in America."

The American crisis was severely felt in Paris, owing to the delay of remittances. Money was scarce, and there was a prospect that the bank would rescind its recent remissions, for relaxation, if it did not advance its rates of discount.

Reliable accounts concerning the meeting of the crowned heads of Europe state that their principal object was the reduction of their standing armies, in order to relieve their financial condition; the difficulty of obtaining loans rendering a reduction of expenditures necessary.

Two speculators on the Bourse had absconded; one was a defaulter of three millions and the other nearly two millions.

[SECOND DESPATCH.]  
The Bank of Holland has raised its rates of discount to 3 1/2 per cent.

It is reported that a direct communication is about to be established between the Mediterranean and New York through the Lloyd's steamers.

The financial pressure is still severe in Vienna. One broker had committed suicide, and another had absconded, being a defaulter to a large amount.

Numerous failures had occurred.

The Bank of Prussia had raised its rates of discount to 4 per cent.

The health of the King of Prussia was failing rapidly, and great fears were entertained for his life. All the members of the royal family had assembled at Potsdam.

Negotiations had been opened at St. Petersburg for a commercial treaty with Austria.

Six Russian vessels had disembarked troops in Abasia, burned the bazaar, and destroyed the shipping.

The Russian Minister of Marine officially reports the loss of the line-of-battle ship Le Forte. All on board perished, including thirteen officers, seven hundred and forty-three seamen, and fifty-three women and children. The same storm caused other disasters and loss of life in various parts of the Baltic.

Accounts from Turkey state that Galatz had been nearly destroyed by fire.

The financial condition of Turkey remained unchanged. Paper money had depreciated 20 per cent.

The insurrections in Persia had been suppressed. INDIA.—Passengers who have recently arrived in England report that Nena Sahib has resolved not to be taken alive, and has a body guard under orders to kill him were he caught.

There are 30,000 mutineers between Cawnpore and Lucknow.

It was considered doubtful whether Gen. Outram can ascend the river Gogra, as it is lined with forts well manned by the mutineers.

At the latest accounts only 3,000 troops arrived at Calcutta since the outbreak. It was feared that Lucknow would fall before assistance could arrive.

CHINA.—Letters received at Paris say the Viceroy Yeh had issued a proclamation attributing the departure of British troops to India to the fear created by his military preparations.

AFRICA.—Two slaves had been captured on the western coast of Africa. One was an American-built brigantine called the Sarah Jane.

## Minnesota Election.

CHICAGO, Oct. 22.—Returns from twenty-five counties in Minnesota give the democratic candidate for Governor, 1,700 majority. The fourteen counties to hear from will probably increase the democratic majority.

WASHINGTON, Oct. 23.—The amount of funds in the Treasury, subject to draft, on the 19th inst., was ten millions, six hundred and thirty odd dollars.

The receipts at the Treasury, during the past week were the largest upwards of \$400,000.

Mr. Buchanan has offered ex-President Pierce and family a passage to Madeira in the steam frigate Powhatan, which is to sail about the 20th of November.

## Later from Utah.

ST. LOUIS, Oct. 23.—Official advices from Salt Lake say that the Mormons will refuse to let the U. S. troops enter the city. Brigham Young declares that he will burn the priories, and if necessary, Salt Lake City, before he will submit to the demands of the U. S. Government.

The Norwegian Barque "Ellen."  
NORWOLK, Oct. 23.—The Norwegian barque Ellen sails to-day. She has been fitted out and repaired at the Navy Yard, at the expense of her owners. Capt. Johnson has not received a dollar of the subscription raised in Norfolk and Portsmouth, for the relief of the sufferers by the wreck of the steamer Central America.

## From the Indiana Daily Journal.

Profession and Practice of Law.

REMINISCENCE BY THE HON. O. H. SMITH.

I yield this sketch at the request of my young friends to the legal profession:

With some preparatory study and thirty-seven years' practice in the courts of the State and of the United States, it may be presumed that the subject I touch is somewhat familiar to me, and as the title of the sketches indicates that they are more or less directed to the bar, this will be considered as appropriate. The profession of the law is of high import and of great responsibility, involving more for deep reflection and mature consideration before it is entered into than any other. Why is it that so many of the profession fall by the wayside? Why so many hang on to the skirts of the profession? Why so many who never reach a medium position at the bar? Why so few who acquire wealth and fame in the profession? These are important questions, in which the young man designing to make the law his profession, the father who thinks of the profession for his son, the young professional man, and even the more aged practitioner, is more or less interested.

It is not generally understood that the profession of the law is one of the most laborious that man was ever engaged in; that the proper preparation of the mind for eminent success is found only in the few, and when found with the proper habits, integrity and industry, success will be certainly follow as that effect will follow cause. There never was a great error in fact than that committed by devoted parents when selecting professions for their sons. The most feeble, the tenderest, and those who are supposed to be unable to struggle physically with the out-door labors of other professions, trades, occupations and businesses, are consigned to the seclusion of a professional office. My experience and observation teach me that all such should be directed by their youth to some active out-door employment, trade or avocation, giving constant exercise to the body and mind. The student at law cannot have too firm a constitution; his chest and lungs cannot be too much expanded; his voice cannot be too clear and strong, nor his health too good.—If he practices the profession only half so long as I have he will find that he will have use for all the bodily qualifications.

Good common sense is essential. It is the foundation upon which the superstructure of education must rest; and, if it is defective, you may build the superstructure to the skies and it will crumble and fall. If Nature has not done her part to make the lawyer, in vain will he struggle, to sink at last in some other profession or avocation which Nature has designed him for. The professional education should be good and sound. Education he should spell well, and understand the principles of arithmetic and English grammar. The higher branches may be added, but I do not hold that in this country a knowledge of the dead languages and a familiarity with the classics is essential to the student, nor even to his success as a practitioner, although I do not object to their study where a favorable opportunity is afforded. But I do not mean to say that I have known many graduates of colleges who were so deficient in the English department of their education as to be disqualified for students in my office.

A fine looking young man called upon me one day, desiring to study law with me. I inquired of him as to his education, and he gave me the following answers: "I understand Latin, Greek and Hebrew; I stood number one in a large class of graduates." "Do you spell well?" "I presume so, but I never thought much of that." "Spell balance." "Balance." "That will not do. Do you read well?" "Certainly." "Read this." "My name is Norval on the Grampian hills." "What was his name off the Grampian hills?" "I never tried to learn. Our great men East can scarcely write their names so that they can be read." "Let me see you write." He scratched off some caricatures looking like Greek or turkey tracks. "That is sufficient; your education is too imperfect for a lawyer; the dead languages may be dispensed with, but spelling, reading and writing cannot be. I advise you to go to a good school, and begin your education over again, and he might yet qualify himself for the study of the law."

The license or diploma to practice obtained is the test time in the life of the young lawyer's career. If he thinks that the license qualifies him, that his studies are ended, that he can then indulge his ease upon the cushioned sofa, smoke his pipe, and receive his callers, he will find that he has made a mistake. The license is only a passport to the study of the books with the practice of his profession, that he is just entering upon his studies that are never to end but with his life, that he will be every day better and better qualified to read and understand, he may with proper habits and perseverance rise high in his profession. After thirty-seven years of reading and practice, I can truly say that I am, as it were, just beginning to learn my profession.

The student will learn as he enters the court and begins to try his case that the learning of the books alone will not sustain him without a knowledge of the world, of men and things. He will have occasion every day to draw upon outside knowledge, and to bring to bear the circumstances that surround him upon the cause of his client. He should endeavor to go to the law, and not the law to him. He should be acquainted with the facts and the law, as both court and jury are ignorant of his case. He should be ready to place it fairly and truly before them. To do this his library should be looked to as to the law, and his client should be examined and cross-examined as to the facts, and then held responsible if he should have stated them too favorably to himself, to the injury of his client. The lawyer should maintain the strictest integrity and the nicest sense of honor. His character is his capital. No personal security is required of him by the public. His faith, his honor stand pledged, and if once violated he is bankrupt, and his profession only points to his disgrace.

A young lawyer has it in his power to surround himself with friends or enemies. He should surround himself with friends, and not with enemies. He should be acquainted with the facts and the law, as both court and jury are ignorant of his case. He should be ready to place it fairly and truly before them. To do this his library should be looked to as to the law, and his client should be examined and cross-examined as to the facts, and then held responsible if he should have stated them too favorably to himself, to the injury of his client. The lawyer should maintain the strictest integrity and the nicest sense of honor. His character is his capital. No personal security is required of him by the public. His faith, his honor stand pledged, and if once violated he is bankrupt, and his profession only points to his disgrace.

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In questioning and cross-questioning witnesses counsel frequently do great injustice to the witness without in the least benefiting the cause. The jury is composed of men in all respects like the witness, and if his character stands unimpaired they are disposed to give him credit for a disposition to tell the truth, unless they see his position or motives would lead him to side with one of the parties. A lawyer inconsiderately looks upon the witness as a man on the side of his adversary, and he is hostile to him, and attacks him in a manner, voice, and with thousand useless questions plainly showing to the jury the state of mind of the lawyer, to the prejudice of the cause of the client. As a general rule there are too many questions asked the witness, depending upon the cleverness or obscurity of the legal vision of the attorney. He who asks his case clearly may put his questions to the witness so as to come directly to the point in issue.

He has known many cases lost by counsel cross-questioning their own witnesses after the case was made out. In criminal cases, resting on circumstantial evidence, I have never found it difficult to point to the real criminal, wherever presence, motive and opportunity combine.